



IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.

Dated: October 14, 2014.

A handwritten signature in black ink that reads "Tony M. Davis".

**TONY M. DAVIS
UNITED STATES BANKRUPTCY JUDGE**

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

IN RE:

FIRED UP, INC.

DEBTOR

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**CASE NO. 14-10447-tmd
(Chapter 11)**

**AMENDED ORDER APPROVING MOTION TO APPROVE SALE OF PROPERTY
LOCATED IN ABILENE, TEXAS,
FREE AND CLEAR OF LIENS AND ENCUMBRANCES**

On October 2, 2014, came on for consideration the *Motion to Amend Order Approving Motion to Approve Sale of Property Located in Abilene, Texas, Free and Clear of Liens and Encumbrances* ("Motion") filed by the Debtor, Fired Up, Inc. Adequate notice and opportunity for a hearing having been given, the Court finds that granting the relief requested will aid in the administration and reorganization of this estate will no deny any parties their due process rights. It

is therefore that

ORDERED that the Contract for Sale with LG Acquisitions, LLC of Debtor's real and personal property located at 4157 Buffalo Gap Road, Abilene Texas (collectively "the Property") free and clear of all liens, encumbrances, claims free and clear of liens and encumbrances, claims and other charges pursuant to 11 U.S.C. § 363(f) with any liens, encumbrances, claims and other charges which may attach to the Property to be paid at closing is terminated. It is further

ORDERED that, the Property may be sold under the same terms and conditions as set forth in the Contract and this Order to Moondance Investments, Ltd. as long as the proceeds prior to any debt repayments permitted herein is within six percent (6%) of the amount that would be received under the LG Acquisitions Contract (for the reason that no broker's commission will be paid on the sale to Moondance Investments, Ltd). It is further

ORDERED that, to the extent any liens, encumbrances, claims and other charges which may attach to the Property are not paid at closing, said liens, encumbrances, claims and other charges are to attach to the proceeds of the sale in the same order as currently may exist. It is further

ORDERED that the Debtor, Fired Up, Inc., is authorized to execute such documents, including but not limited to bills of sale and assignments, and do things as may be necessary to effect and consummate the sale of the Property. It is further

ORDERED that the Debtor is authorized to pay all undisputed secured claims from the proceeds of the sale of the Property, other than those of FRG Capital, Inc., including (i) any past due *ad valorem* taxes on both the real and personal property connected to the Property; (ii) 2014 *ad valorem* taxes through the date of closing *pro-rated* based on the purchase price as set forth in the contract; and (iii) Prosperity Bank in full on its Note. It is further

ORDERED that the Debtor, Fired Up, Inc. is authorized to pay all costs of closing as set forth in the Contract. It is further

ORDERED that the remaining proceeds of the sale after payment of the expenses set forth in the Contract of Sale and herein are to be remitted to Debtor and held in a segregated, interest-bearing account pending further Order of this Court or confirmation of a Plan of Reorganization; and it is further

ORDERED that the lien of FRG Capital shall attach to not more than \$60,000.00 of the proceeds of the sale with such lien to attach in the same priority, validity, nature and extent as existed immediately prior to such sale. It is further

ORDERED that Debtor shall be authorized to sell the Property under the same terms and conditions as set forth herein to any other buyer so long as the net proceeds to the bankruptcy estate prior to payment of the indebtedness authorized herein is within six percent (6%) of the gross proceeds Debtor would be receiving if the Contract with LG Acquisitions had been consummated.

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Prepared by:

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